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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/826,976	04/05/01	TOBINICK	E TOBINICK 3.0

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HM42/1107

EXAMINER

CHANNAVAJJALA, L

ART UNIT

PAPER NUMBER

1615

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DATE MAILED: 11/07/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks



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#3

EZRA SUTTON, P.A.
Plaza 9, 900 Route 9
Woodbridge, New Jersey
07095

In re Application of :
Edward L. Tobinick, M.D. :
Serial No.:09/826,976 : PETITION TO MAKE SPECIAL DECISION
Filed: April 5, 2001 :
Attorney Docket No.: 3.0-013 :

This is in response to applicants' petition filed April 4, 2001, to make the above-identified application special under the provisions of MPEP 708.02 VIII, based on accelerated examination. The delay in acting on this petition is regretted.

A new application may be granted special status provided that applicant complies with each of the following items.

- (a) Submits a petition to make special accompanied by the fee
- (b) Presents all claims directed to a single invention, or elects without traverse in response to a restriction requirement
- (c) Submits a statement that pre-examination search was made
- (d) Submits one copy of each reference and
- (e) Submits a detailed discussion of references

Applicant has satisfied each of these provisions.

Therefor the petition is **GRANTED**.

The application will be forwarded to the examiner for action on the merits commensurate with this decision.

Should there be any questions with regard to this letter please contact Julie E. Burke by letter addressed to the Group Director, Technology Center 1600, Washington, DC 20231, or by telephone at (703) 308-7553 or by facsimile transmission at (703) 305-3599.

J. Burke for
John Doll
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